

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 60170

Christopher Reid
Wanda Reid

5941 Central Avenue

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on June 16, 2009 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201 (b)(d); Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1A, 428, failure to cease the outside storage of all unlicensed/inoperable motor vehicles (failure to tag or remove), failure to store all garbage in rodent-resistant containers with tight fitting lids on residential property known as 5941 Central Avenue, 21207.

On May 27, 2009, pursuant to §3-6-205, Baltimore County Code, Inspector Kim Wood issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$4,000.00 (four thousand dollars).

The following persons appeared for the Hearing and testified: Wanda Reid, Respondent and, Kim Wood, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on May 4, 2009 for removal of untagged/inoperative vehicles and storage of garbage in cans with tight lids. This Citation was issued on May 27, 2009.

B. Photographs in the file show bagged garbage overflowing in cans without lids, and two white cars without tags in the driveway. Inspector Kim Wood testified that re-inspection prior to this Hearing found the cars still there without tags, and found garbage cans with lids.

C. Respondent Reid testified that the family is working to fix both cars and will correct the violations within a month. The garbage is properly stored. Because compliance is the goal of code enforcement, and the file does not show prior cases, the civil penalty will be rescinded if the remaining violations are corrected.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the two vehicles are properly tagged and made operable or removed from the property by July 20, 2009. If the Respondent fails to correct the violations, the civil penalty shall be imposed.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 19TH day of June 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO RESPONDENT: The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.